



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Atty. Docket

Johannes B. van Zon

N17557

Serial No. 09/787,838

Group Art Unit: 2814

Filed: 03/22/2001

Examiner: Douglas A. Wille

TITLE: Method Of Manufacturing A Tunnel Junction Device

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE

Sir:

In response to the Office Action dated 09/10/2002, please consider the following remarks:

REMARKS

In response to the requirement to restrict prosecution to one of the inventions of:

claims 10-32; or

claims 33-47

The applicant selects the prosecution of claims 33-47 at this time.

Applicant traverses the restriction requirement because according to MPEP 803 "If the search and examination of an invention can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." In this case

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